

STATE OF MICHIGAN
COURT OF APPEALS

In the Matter of CHRISTOPHER CAREY,
TERREA D. CAREY, and JUSTIN CAREY,
Minors.

DEPARTMENT OF SOCIAL SERVICES,

Petitioner-Appellee,

v

ALICIA CAREY,

Respondent-Appellant.

and

ANSON YOUNG and LARRY MAYS,

Respondents.

DEPARTMENT OF SOCIAL SERVICES,

Petitioner-Appellee,

v

MAURICE BROWN,

Respondent-Appellant.

Before: Reilly, P.J., and Hood and Murphy, JJ.

MEMORANDUM.

UNPUBLISHED

June 27, 1997

No. 196371

LC No. 91-017368 NA

No. 197197

LC No. 91-017368 NA

Respondents-appellants appeal as of right from the probate court order terminating their parental rights to the minor children. We affirm.

As to respondent Carey, the probate court did not clearly err in finding that the statutory grounds for termination under MCL 712A.19b(3)(c)(i) and (g); MSA 27.3178(598.19b)(3)(c)(i) and (g) were established by clear and convincing evidence. MCR 5.974(I); *In re Miller*, 433 Mich 331, 337; 445 NW2d 161 (1989). Further, respondent-appellant failed to show that termination of her parental rights was clearly not in the children's best interests. *In re Hall-Smith*, ___ Mich App ___; ___ NW2d ___ (Docket No. 195833, issued March 25, 1997), slip op p 3. Thus, the probate court did not err in terminating respondent-appellant's parental rights to the children. MCL 712A.19b(5); MSA 27.3178(598.19b)(5).

As to respondent Brown, the probate court did not clearly err in finding that there was clear and convincing evidence of desertion for more than 91 days sufficient to terminate his rights under MCL 712A.19b(3)(a)(ii); MSA 27.3178(598.19b)(3)(a)(ii). Further, we find no clear error in the probate court's ruling that respondent Brown failed to show that termination was clearly not in his daughter's best interest. Thus, the probate court did not err in terminating respondent Brown's parental rights. *In re Hall-Smith, supra*.

Affirmed.

/s/ Maureen Pulte Reilly
/s/ Harold Hood
/s/ William B. Murphy